

har2-Samantha

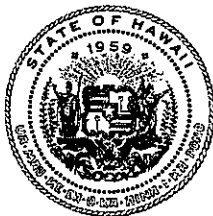
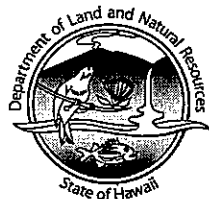
From: mailinglist@capitol.hawaii.gov
Int: Thursday, January 26, 2012 8:08 AM
TO: WLOtestimony
Cc: moana.bjur@hawaii.gov
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM
Attachments: HB2092_LNR_12-27-12_WLO.draft.pdf

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Guy Kaulukukui
Organization: Department of Land and Natural Resources
E-mail: moana.bjur@hawaii.gov
Submitted on: 1/26/2012

Comments:

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
WATER, LAND & OCEAN RESOURCES**

**January 27, 2012
9:00AM
State Capitol, Conference Room**

**In consideration of
HOUSE BILL 2092
Relating to Kanaka Maoli Fishponds**

House Bill 2092 proposes to amend Chapter 171, Hawaii Revised Statutes (HRS), to require the Board of Land and Natural Resources (Board) to provide preference for the reconstruction, restoration, repair or use of kanaka maoli fishponds when issuing leases for public land suitable for such use. In addition, the bill also proposes to require the Board to adopt administrative rules to achieve this end, including rules to streamline the application approval process for lease applicants. The Department of Land and Natural Resources (Department) has serious concerns about this bill, and believes it unnecessary.

The absolute requirement (as compared to discretionary authority) to draft rules simply creates unnecessary work for an already overburdened land management staff of the Department. Chapters 171 and 190D, HRS, already are very thorough on the processes and procedures for the issuance of leases to qualified nonprofit and for-profit entities, government agencies...for a variety of purposes such as commercial, industrial, resort, agriculture, aquaculture, mariculture, renewables, etc.

To require the Department and Board to expend resources and adopt new Rules in addition to what is already statutory law would result in an unnecessary and duplicative and circular bureaucracy. That is not prudent, especially in a climate of limited fiscal and staffing resources.

Finally, the Department opposes this bill to the extent it requires the Department and Board to issue a lease of lands for fishpond purposes that would result in private or exclusive use of State land that are within the shoreline area or submerged. These lands are held in trust by the State for the use and enjoyment by the general public.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

har2-Samantha

From: mailinglist@capitol.hawaii.gov
nt: Thursday, January 26, 2012 3:27 PM
o: WLOtestimony
Cc: sterlingw@oha.org
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM
Attachments: HB2092 Fishpond Leases H WLO.pdf

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Comments Only
Testifier will be present: Yes
Submitted by: Office of Hawaiian Affairs
Organization: Office of Hawaiian Affairs
E-mail: sterlingw@oha.org
Submitted on: 1/26/2012

Comments:



HB2092

RELATING TO KANAKA MAOLI FISHPONDS

House Committee on Water, Land & Ocean Resources

January 27, 2012

9:00 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) offers the following comments on HB2092, which would provide state lease preferences for the reconstruction, restoration, repair or use of Kanaka Maoli fishponds.

The OHA administration will recommend that the OHA Board of Trustees support HB2092.

Fishponds were and continue to be important cultural resources to Native Hawaiians. While fishponds today still serve as a source of sustenance for communities, they also offer a wide range of educational opportunities. Fishponds are used to teach students about math, science and Hawaiian culture. In addition, fishpond restoration has become a major part of the Hawaiian cultural revival movement, with a number of groups across Hawai'i taking on the kuleana of bringing once-forgotten fishponds back to life.

Unfortunately, the permitting and approval processes for fishpond restoration are cumbersome and have hindered efforts to revive these cultural treasures. Providing lease preferences to fishpond restoration would help streamline the process.

Mahalo for the opportunity to testify on this important measure.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
nt: Wednesday, January 25, 2012 4:11 PM
o: WLOtestimony
Cc: leimana@fastnethi.com
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM
Attachments: HB 2092_Fishponds.docx

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: Yes
Submitted by: Leimana DaMate
Organization: Aha Moku Advisory Committee
E-mail: leimana@fastnethi.com
Submitted on: 1/25/2012

Comments:



Leimana DaMate, Aha Moku Advisory Committee

TESTIMONY IN SUPPORT
OF HB 2092

RELATING TO KANAKA MAOLI FISHPONDS

Committee on Water, Land and Ocean Resources

Friday, Jan. 27, 2012; 9:00 am; Room 325

Aloha Chair Chang and Members of the House Committee on Water, Land and Ocean Resources,

Thank you for the opportunity to testify in support of HB 2092. On behalf of the Aha Moku Advisory Committee we support HB 2092 but ask that language be inserted into the bill that would protect and retain the original names of the Hawaiian fishponds. Although the eight main Hawaiian Islands are very distinct in their geographic make up, there is a commonality among them all that pertains to the usage of a fishpond. The traditional name usually refers to how a fishpond was used as well as its geographic location. Therefore we ask that the amendment to the bill include the following language:

“-171- Lease preferences: Kanaka maoli fishponds (a) notwithstanding any other law to the contrary, the board shall provide preference to the retention of the traditional name of the fishpond, reconstruction, restoration, repair, or use of kanaka maoli fishponds when issuing leases for public land suitable for kanaka maoli fishponds.”

Thank you for the opportunity to testify in support of HB 2092.

Leimana DaMate

Aha Moku Advisory Committee

Phone: 808-497-0800, email: Leimana@fastnethi.com

har2-Samantha

From: Makaala Kaaumoana [makaala@hawaiian.net]
Sent: Thursday, January 26, 2012 2:29 PM
Subject: WLOtestimony
Testimony in support of HB 2092

Aloha Chair Rep. Jerry L. Chang, Chair
And Vice Chair Rep. Sharon E. Har, Vice Chair
And committee members

The Hanalei Watershed Hui implements a community authored Watershed Action Plan in Hanalei, Kaua'i. Our kuleana includes the restoration and preservation of the natural, cultural and economic resources of the four ahupua'a of Hanalei.

We are in strong support of HB 2092 as we have three important fishponds in our watershed and this legislation would provide needed focus and support of our efforts to restore and preserve them providing critical sustenance for our community.

Me ka pono,
Makaala

Maka'ala Ka'aumoana
Executive Director
Hanalei Watershed Hui
P.O.Box 1285
Hanalei, HI 96714
808-826-1985
808-346-5458 cell
808-431-4444 fax
Skype makaala9

The Hanalei Watershed Hui mission is to support and protect the ecology, cultures and sustainable economies of Hanalei.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
nt: Thursday, January 26, 2012 2:43 PM
o: WLOtestimony
Cc: makaala@hawaiian.net
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Makaala Kaaumoana
Organization: Hui Ho'omalua i ka Aina
E-mail: makaala@hawaiian.net
Submitted on: 1/26/2012

Comments:

Hui Ho'omalua i ka 'Āina is a taro root organization founded in the early 1980's by traditional practitioners of moku Halele'a to address threats and impacts to the natural and cultural resources of Kaua'i. Founded by farmers and fishermen, weavers and hunters, we seek to provide context for issues related to the ecology of our ahupua'a. The organization is an active advocate for those native things and ways that are disappearing. We strongly support this measure as it provides critical recognition and support of our cultural resources so desperately in need of financial support. Mahalo. Makaala

har2-Samantha

From: mailinglist@capitol.hawaii.gov
ent: Thursday, January 26, 2012 5:04 PM
ro: WLOtestimony
Cc: info@maunaluafishpondheritage.com
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM
Attachments: HB 2092 Relating to Hawaiian Fishpond Lease Preference WLO Testimony-Support.dot

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Chris Cramer

Organization:

E-mail: info@maunaluafishpondheritage.com Submitted on: 1/26/2012

Comments:

In Support- HB 2092 Relating to Hawaiian Fishpond Lease Preference

Committee: WLO

Room: 325

Hearing Date: 1/27/2012 9:00am

Aloha Chair Chang and Committee Members,

Thank you for hearing the fishpond bill HB2092. The bill gives preference to those using Hawaiian fishponds for their intended purpose and streamlines the State application approval process. This bill builds on the successful effort to protect government owned Hawaiian fishponds from sale. Now our communities need to access these ponds. Working fishponds increase the abundance of fish, strengthen communities and provide outstanding educational opportunities. They also benefit the State by safeguarding water resources like springs which often feed into fishponds.

This bill is long overdue. We have few historic fishponds left and this will help reverse the trend of fishponds being ruined from neglect.

Mahalo for your consideration,

Chris Cramer

Chris Cramer

President

Maunalua Fishpond Heritage Center 501(c)(3)

P.O. Box 240204

Honolulu, HI 96824-0204

maunaluafishpondheritage.com

har2-Samantha

From: mailinglist@capitol.hawaii.gov
nt: Thursday, January 26, 2012 7:57 AM
o: WLOtestimony
Cc: d_raney@hawaiiantel.net
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM
Attachments: HB_2092 Kanaka Maoli Fishponds.pdf

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Dave Raney
Organization: Sierra Club
E-mail: d_raney@hawaiiantel.net
Submitted on: 1/26/2012

Comments:



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803

808.538.6616 hawaii.chapter@sierraclub.org

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

January 27, 2012, 9:00 A.M.

(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF HB 2092 RELATING TO KANAKA MAOLI FISHPONDS

Aloha Chair Chang and Committee Members -

The Sierra Club, Hawai'i Chapter, with 9,000 dues-paying members and supporters, supports HB 2092.

Restoring kanaka maoli fishponds is a pono approach for expanding supplies of local food by sustainable and culturally appropriate means. HB 2092 will help promote reconstruction, restoration, and use of kanaka maoli fishponds by directing the Board of Land and Natural Resources to grant preferences to state leases for such purposes, and to adopt rules streamlining the application process for kanaka maoli fishponds.

Mahalo for the opportunity to submit testimony.

har2-Samantha

From: drjant@aol.com
nt: Thursday, January 26, 2012 11:24 AM
o: WLOtestimony
Subject: HB 2092

Oppose.

In principle looks like a worthy, deceptively attractive Idea.

But this opens up a can of worms. On its face this looks like discriminatory legislation that favors one racial group. May be in violation of Article X1, Section 5 of Hawaii State Constitution. Fish ponds are "State lands". This Bill opens up problems while ostensibly serving a good purpose.

Jim Anthony

Ka'a'awa, HAWAII 96730

drjant@aol.com

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Int: Tuesday, January 24, 2012 7:49 PM
To: WLOtestimony
Cc: Ken_Conklin@yahoo.com
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Kenneth R. Conklin, Ph.D.
Organization: Individual
E-mail: Ken_Conklin@yahoo.com
Submitted on: 1/24/2012

Comments:
Regarding HB2092:

I object to the use of language suggesting that the fishponds belong to a racial group today or in the future. It is true that the fishponds were originally built by native Hawaiians before Captain Cook arrived in 1778. However, the Kingdom founded by Kamehameha The Great was created and sustained as a multiracial nation. The fishponds belonged to the multiracial government on behalf of the multiracial citizenry, and continue to belong to the multiracial citizenry of the State of Hawaii today.

For example, Englishman John Young was so important as a battlefield leader and military advisor that Kamehameha named Young as Governor of Hawaii Island and member of the ruling council of chiefs, and gave him land and a house immediately next to the great Pu'ukohola Heiau. John Young's bones are the oldest bones buried at Mauna Ala (Royal Mausoleum in Nu'uano), in a tomb designed to look like a miniature heiau and guarded with a pair of pulo'ulo'u (sacred taboo sticks).

Throughout the Kingdom most members of the cabinet, nearly all the department heads, and perhaps 1/4 of all the legislators (both Nobles and Representatives, both appointed and elected) were Caucasians. Beginning in the 1890s the majority of Hawaii's people were Asians, who acquired sweat-equity in the Kingdom, Republic, Territory, and State by working as plantation laborers and then rising to become business owners and professionals.

One purpose of this bill appears to be to establish fishpond restoration as a preference or priority when allocating resources for public lands where fishponds currently or formerly exist(ed). It's questionable in any particular situation whether fishpond restoration is more or less important than using the land for agricultural crops, pasturage, or housing. It would seem inadvisable to declare arbitrarily that fishponds are always more important than cultivating plants or livestock as food sources in every ahupua'a. But at least that's an issue for race-neutral rational decision-making based on specific information about the land, the water, and the type of food needed by the people.

The primary purpose of this bill seems to be to change the name from "Hawaiian fishpond" to "kanaka maoli fishpond." That is clearly an attempt to remove a descriptive label designating Hawaii as a place and "Hawaiian" as an architectural style, and replace that descriptive label with a racial label asserting ownership by a racial group. Such a concept is contrary to historical fact and also insulting to the heritage of Hawaii as a multiracial society throughout the 19th, 20th, and 21st Centuries.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
ent: Thursday, January 26, 2012 4:18 PM
io: WLOtestimony
Cc: reinaharris@gmail.com
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Reina Harris
Organization: Individual
E-mail: reinaharris@gmail.com
Submitted on: 1/26/2012

Comments:

Dear Chair Chang and Vice Chair Har, and members of the committee:

My name is Reina Harris, and I was born and raised in Hawaii. I now live in Kahalu'u, where I drive past the Heeia fishpond every day.

I support HB 2092, relating to Kanaka Maoli Fishponds.

This bill promotes use and restoration of these fishponds, which are culturally important to Hawaii's history. In addition, these fishponds encourage food sustainability and aquaculture in Hawaii.

Mahalo for the opportunity to testify.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
nt: Wednesday, January 25, 2012 6:50 PM
o: WLOtestimony
Cc: bisaki@gmail.com
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Bianca Isaki
Organization: Individual
E-mail: bisaki@gmail.com
Submitted on: 1/25/2012

Comments:

Restoring Hawaiian (kanaka maoli) fishponds is a pono approach for expanding supplies of local food by sustainable and culturally appropriate means. I support HB 2092 because it will help promote reconstruction, restoration, and use of kanaka maoli fishponds by directing the Board of Land and Natural Resources to grant preferences to state leases for such purposes, and to adopt rules streamlining the application process for kanaka maoli fishponds.

har2-Samantha

From: Jalna Keala [jalna.keala2@hawaiiantel.net]
ent: Thursday, January 26, 2012 4:17 PM
o: WLOtestimony
Subject: House bill 2092
Attachments: LOKOIA COVER.doc; lokoia.doc

House bill 2092, Hawaiian Fishponds; Being Heard on Fri, Jan 27, 9:00 a.m.; Room 325;
WLO committee; submitted by Jalna Keala, interested citizen.

TESTIMONY FOR THE COMMITTEE ON WATER, LAND & OCEAN RESOURCES

FRIDAY, JANUARY 27, 2012...9:00 a.m.....ROOM 325

RE: HOUSE BILL 2092, KANAKA MAOLI FISHPONDS

Aloha Chairman Chang and committee members.

While I think it's a good idea to make the distinction between Hawaiian fishponds and fishponds in general, allow me to suggest using the correct term in the Hawaiian language, which is **loko i`a**.

May I also request an amendment to this measure that would prevent **loko i`a** from being designated as anything else. Case in point is the 400 acres of three **loko i`a** at the Kaneohe Marine Base that is now called and used as a bird sanctuary. The three **loko i`a** there have an important history that is centuries old, at one time fed thousands of people on the windward coast, and could probably do so again. It is disgraceful to relegate it to being used and named solely as a bird sanctuary.

Thank you for the opportunity to provide testimony.

Jalna Keala
5019 Poola Street
Honolulu, HI 96821
jalna.keala2@hawaiiantel.net

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Int: Thursday, January 26, 2012 9:58 AM
To: WLOtestimony
Cc: teya@hawaiiantel.net
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Teya Penniman
Organization: Individual
E-mail: teya@hawaiiantel.net
Submitted on: 1/26/2012

Comments:

Aloha Chair Chang, Vice Chair Har, and Honorable members of the Committee:

I recently had the privilege of researching and writing about Hawaii's Fishponds for a local magazine. I spoke with Joylynn Paman, Executive Director of the Maui Fishpond Association and with Walter Ritte, who is working to restore Keawanui Fishpond on Molokai. I learned about the different kinds of fishponds in Hawaii and the ingenuity of Hawaii's earliest aquaculturists. I came to appreciate the potential associated with Hawaii's fishponds, including how energy efficient they were, providing almost 100 times more protein than open ocean fishing for the same amount of energy input. I also came to understand that the current permitting process is very complex and takes years to complete. If the process can be streamlined, while still ensuring that important environmental concerns are mitigated, we can work to link Hawaii's past with its future - one that is less dependent on importing almost all our food from the mainland.

Mahalo no,
Teya Penniman